

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,) Case No. 8:07CR126
)
Plaintiff,)
)
vs.)
)
MICHAEL REISDORFF,)
)
Defendant.)

ORDER

This case came before the Court on a Petition for Action on Conditions of Pretrial Release (#23). On June 6, 2007 Pretrial Services Officer Todd Beacom submitted a Petition for Action on Conditions of Pretrial Release alleging that Defendant had violated conditions of release as follows:

7. The defendant shall:

(K) Reside at CH, Inc. Facility at all times. In the event the defendant is discharged from the facility for any reason whatsoever, or leaves the premises of the facility without authorization, the United States Marshal, and/or any law enforcement officer is ordered to take the defendant into custody and detain the defendant pending a prompt hearing before the court to review the conditions of release.

(M) Refrain from any use or possession of alcohol.

The defendant tested positive for alcohol usage while residing at CH, Inc. Mr. Reisdorff left the CH, Inc. Facility on June 6, 2007 without authorization from the court, Pretrial Services or CH Inc. Staff.

A warrant for Defendant's arrest was issued.

Defendant appeared before the undersigned magistrate on June 7 and June 11, 2007. Jeffrey Courtney represented Defendant. Susan Lehr, Assistant United States Attorney represented the Government. After being advised of the nature of the allegations, rights, and the consequences if the allegations were found to be true, Defendant denied the allegations. Hearing was held. The Court took judicial notice of the Memorandum of Pretrial Services Officer Todd Beacom dated June 6, 2007. The Court finds the allegations

set out in the petition are generally true and finds the Defendant violated the conditions of release.

After providing both parties an opportunity for allocution as to disposition and considering the report of Pretrial Services, I find the Order Setting Conditions of Release (#19) should be modified.

IT IS ORDERED:

1. The Petition for Action on Conditions of Pretrial Release (#23) is granted;
2. The April 26, 2007 Order Setting Conditions of Release (#19) is hereby modified by Conditions of Release signed by the Defendant;
3. Defendant's Motion for Review of Detention (#21) is granted; and
4. Defendant is to be released after Pretrial Services verifies that the electronic monitoring is in place in the Defendant's residence.

Dated this 12th day of June 2007.

BY THE COURT:

s/ F. A. Gossett
United States Magistrate Judge